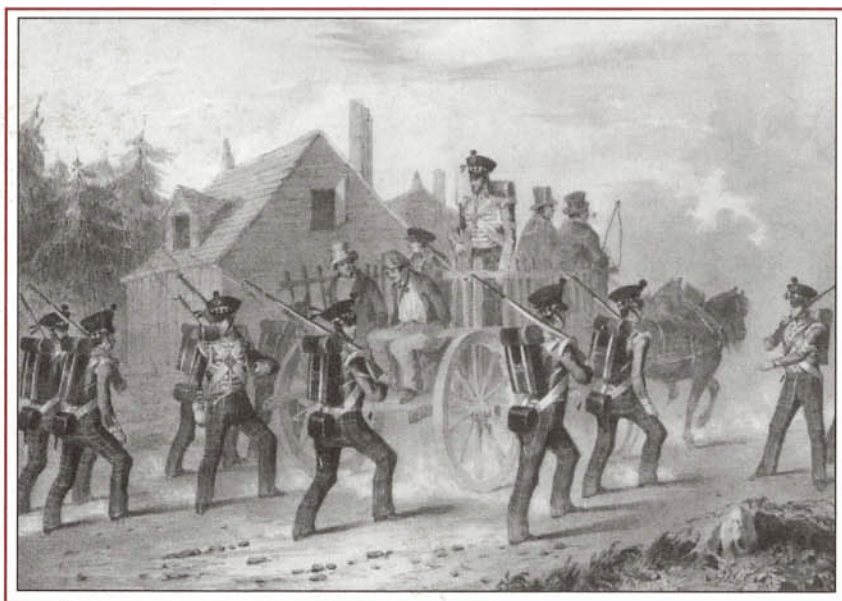


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Jean-Paul Bernard



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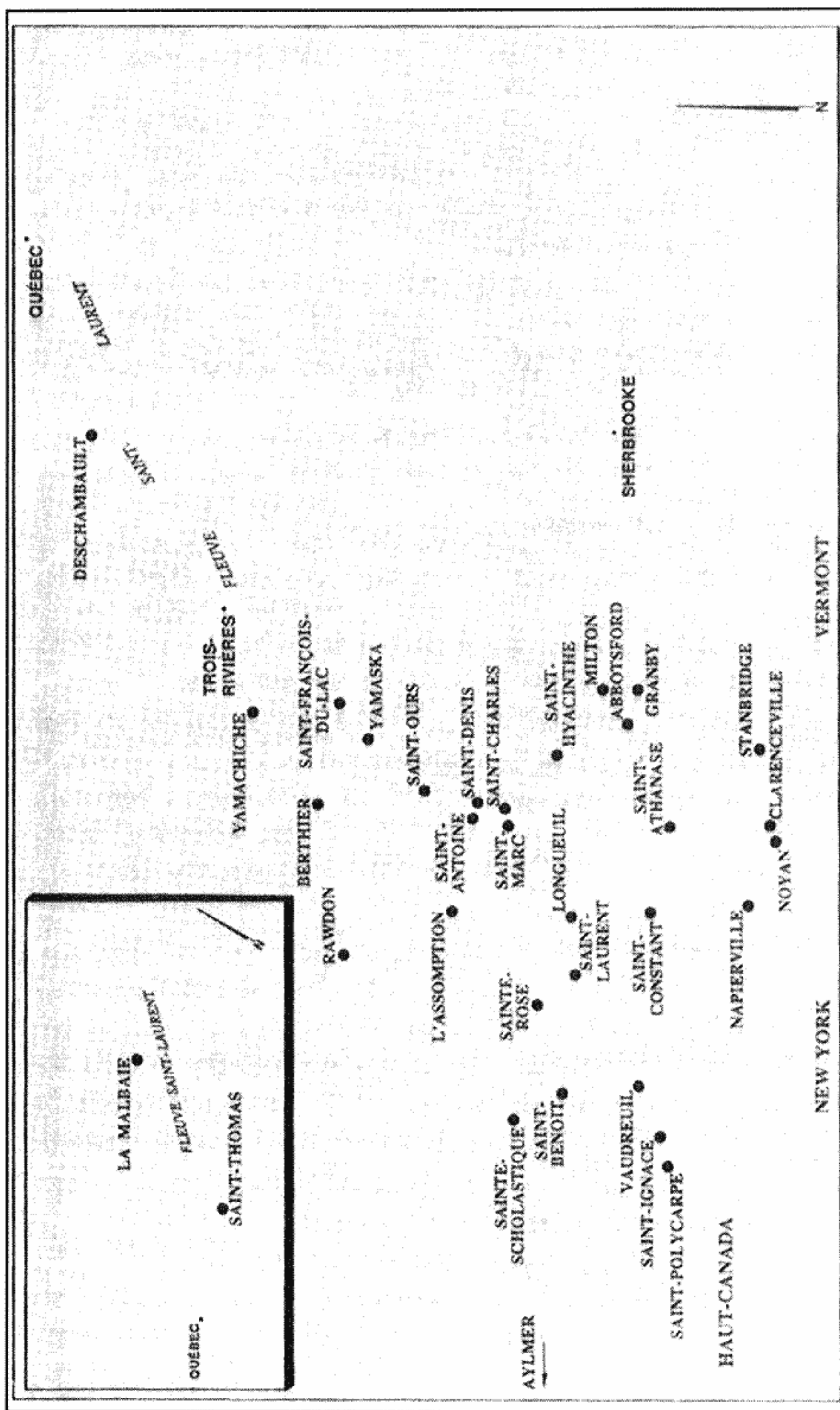
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Cover Illustration

Soldiers of the 71st Highland Light Infantry escorting
insurgents to jail in Montréal in 1838. Drawing by M. A. Hayes.
Courtesy of the National Archives of Canada (C3653).

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Locations of public meetings, either in favour of or against the *Patriote* movement in 1837-38, showing the contemporary county boundaries.

This map is taken from *Assemblées publiques, résolutions et déclarations de 1837-1838*, published in 1988 by Jean-Paul Bernard (in collaboration with the Union des écrivains québécois), by VLB Editeur, which has authorized its reproduction.

The Rebellions of 1837 and 1838 in Lower Canada

Rarely in Canadian history has discontent with established governments erupted into armed revolt; however, in the fall of 1837, in both Lower Canada (present-day Quebec¹) and Upper Canada (present-day Ontario), that is precisely what happened. These insurrections do share a common history. They have been described as twin movements in view of their origins and the ties between them. But the similarities have limits, and the two were parallel, separate movements rather than a single movement with a dual regional impact. This study examines the Rebellions of 1837 and 1838 in Lower Canada.²

The Rebellion which occurred in Upper Canada included the attempt to capture Toronto, followed by a massing of insurgents in the Brantford region, and the presence of an armed camp on Navy Island in the Niagara River from early December 1837 to early January 1838. The only disruptions to public order in all of 1838 were border raids launched primarily by American groups, and which received but minor support from the residents of Upper Canada. In Lower Canada, the use of the plural “Rebellions” denotes a second major attempt at insurrection, separate from the confrontations in November and December 1837, which occurred in the fall of 1838. This second insurrection involved an invasion from the United States which was supported by a popular uprising in Lower Canada itself.

Political and social conflicts are usually resolved by, or at least confined within, institutions which exist specifically for that purpose. We speak of rebellion when, above and beyond the daily administration of government affairs, the institutions themselves are challenged; when one side considers revolt and the other repression; and when neither side excludes the possibility of armed confrontation. To analyse the Rebellions in Lower Canada, one might compare what happened to the sequence of events in an explosion and fire. A spark can only cause an explosion if an explosive mixture already exists. Explosive elements were present in Lower Canada in the 1830s. To explain fully the impact of the Rebellions of 1837 and 1838, one needs to understand the entire sequence of events: the specific ingredients which permitted a spark to ignite the explo-

¹ Quebec denotes the colony; Québec, the city.

² See also Colin Read's *The Rebellion of 1837 in Upper Canada*, The Canadian Historical Association, Historical Booklet No. 46.

sion, the ensuing spread of fire and how the conflagration was finally smothered.

The first section of this study of the Rebellions in Lower Canada examines what occurred in 1837 and 1838. Following the narrative, the second section provides a “causal” analysis of what happened. After this examination of the roots of the conflict, the third section outlines some of the consequences of the Rebellions.

I. Political and Armed Uprising

The Rebellions were not limited to fights and skirmishes—the taking up of arms. In the beginning, there was political uprising; after about six months, events progressed to armed revolt. The shift from one to another was gradual.

Political Uprising

With the portentous “Russell Resolutions” in the spring of 1837, the London Colonial Office and the government of Great Britain openly supported the Governor of Lower Canada against the Assembly. With the budget authorization, a prime means for the Assembly to oppose the government in office, the British government gave special permission to Governor Gosford to forego submitting expenses for the administration of justice and civilian government to the Legislature. For some time in the colony, the tension between the Governor and the Legislative Assembly had involved games of political oneupmanship, divergent interests and mutual resentment. This explains the scope of the reaction in the colony to the Russell Resolutions, first in the press and then in the organization of a vast protest movement.

On learning of the Resolutions, newspapers that supported the colonial government scornfully voiced their approval. *The Montreal Gazette* underscored the contrast between the power and influence of the “free born sons of Britons” and the weakness of the French-born demagogues who dominated the Assembly, while *L’Ami du peuple, de l’ordre et des lois* rejoiced in the defeat of the radicals and their insane demands. But *La Minerve* spoke of a genuine coup d’état by the Colonial Office. *The Vindicator* regretted having earlier expected justice from the British Parliament, and urged in dramatic tones the creation of a vast popular protest. Even the newspaper *Le Canadien*, known for its moderation, described the Russell Resolutions as “un acte d’agression qui rompt le contrat social et qui rendrait sainte toute résistance, même physique.”

After a protest and propaganda meeting in Saint-Ours, in Richelieu County, others followed in Saint-Laurent (a rural county of Montréal),

Saint-Marc (Verchères), Sainte-Scholastique (Deux-Montagnes), Saint-Hyacinthe, Longueuil (Chambly), Sainte-Rose (Terrebonne) and elsewhere. The partisan press published its reports of these rallies under the title "*La voix du peuple*." Parallel to these meetings, held in one parish but each intended to reach an entire county, a special meeting was convened in Québec by Irish and British reformers. The movement's aim was to prove that the Legislative Assembly was justified in claiming popular support for its positions. At the same time, this movement sought to interest public opinion in Great Britain, passing over the head of the imperial government, as it were.

In addition to complaining about the imperial government meddling in colonial affairs, the protest meetings forcefully underscored the items on the political agenda of the Assembly's majority, and attacked land monopolies and speculation. Opposed to the use of public funds without the Assembly's authorization, organizers urged their supporters to cut off the government's main source of income by refraining from buying products subject to customs duties, buying instead local products—a move intended to stimulate the growth of local manufacturing. The leaders of political dissent attempted to establish a steering committee in each county (the Montréal committee would have a degree of prominence) and special correspondence, vigilance or propaganda committees, styled after those of the American Revolutionaries. The organizers quickly gave consideration to a possible "convention," not only of elected members of the Assembly but also of reformist members of the Legislative Council and representatives to be elected in each locality. If successful, this plan would have changed the very foundation of political power.

Governor Gosford interceded through a Proclamation which prohibited such protest meetings and ordered local authorities to maintain order. The Proclamation required justices of the peace and militia officers to deal severely with political agitators. This show of authority did nothing to stem the movement, which continued and spread beyond the first mobilized counties. Other meetings were held in Berthier, Saint-François-du-Lac (Yamaska), Saint-Thomas (Bellechasse and L'Islet), in Montréal, Stanbridge East (Missisquoi), Napierville (L'Acadie), Deschambault (Portneuf), Potton (Stanstead), Yamachiche (Saint-Maurice), L'Assomption (Lachenaie and L'Assomption) and Saint-Constant (Laprairie). On 18 August 1837, a brief session of the Legislature began and a final attempt at conciliation by the Governor with the Assembly's majority quickly failed.

Elsewhere, the movement's opponents were far from idle, whether in the press which reported their indignation and their threatening determination, or in the field. Between 15 June and 18 August, supporters of

the colonial government also held meetings in various locations, including Rawdon (L'Assomption), Montréal, Henryville (Rouville), Philipsburg (Missisquoi), Napierville (L'Acadie), Québec, Aylmer (Ottawa) and Yamaska. Those in attendance expressed their respect for the authorities in power, their loyalty and allegiance to the Empire and the Crown, and promised that if events escalated to armed confrontation, the rebels, or *Patriotes* as they were known, would be crushed.

In many places, people who refused to join the protest movement were placed under extreme pressure. Some justices of the peace and militia officers simply resigned to avoid acting against popular sentiment in their communities, while others were stripped of their duties for refusing to cooperate with the policy of government sanctions. In communities where support for the *Patriote* cause was strong, those who remained loyal to the government became the targets of charivaris. This traditional form of night-time disturbance, in front of the homes of those whose actions were judged unacceptable by the community's standards, was often aimed at justices of the peace and militia officers.

Political demonstrations, now held by both sides, continued into the fall of 1837. The pressures often centred on the judiciary, which one side sought to use and the other to subvert. But two initiatives that autumn raised the stakes and escalated tensions. On 5 September, the *Fils de la liberté* held their founding meeting in Montréal. And, on 1 October in Deux-Montagnes County, plans were made to have each parish elect individuals to fill the positions of government-appointed judges and police officers.

The *Fils de la liberté* was more than a political club modelled after the American Revolutionaries of 1776. Its members met on the outskirts of Montréal to practise military drills. These drills may have been simply bravado—a means of counterbalancing the military strength of the government. The British Rifle Corps had been present in Montréal since December of 1835. When this corps was ordered to disband, the Doric Club took its place in the spring of 1836, operating discretely, but with a published manifesto. The standing committee in Deux-Montagnes County also urged the creation of parish militia, with arms drills. While not widespread, the tendency of local groups to advocate the bearing of arms disturbed authorities. The great political rally in Saint-Charles on 23 October was a case in point.

This rally in Saint-Charles was much more than a county meeting and somewhat reflected the idea of a people's convention dating back to May of 1837. It brought together parish representatives from the counties of Richelieu, Rouville, Saint-Hyacinthe, Verchères, Chambly and, the last to

join the Confederation, representatives from L'Acadie County. A dozen members of the Assembly attended. The existing political system was blamed for the problems of local industry and business, and for having impoverished the country by allowing public land to be ceded to foreign speculators. The first day's resolutions, and the manifesto to the people of Canada the following day, directly challenged the authority of Great Britain. Using the vocabulary of the American Revolution, the manifesto asserted the people's natural right to change government. Local government was accused of ultimately wanting only military intervention; people everywhere were urged to follow the example of the *Fils de la liberté* in Montréal; lastly, British soldiers were admonished to refuse to serve against the people of the colony and instead to desert to the United States.

At the very same time the loyals held as large a meeting at Place d'Armes in Montréal, but their speeches and resolutions displayed a much different tone. They spoke of the advantages of dependency on Great Britain, and criticized the Legislative Assembly for resisting the necessary reforms to economic institutions, particularly the abolition of seigneurial tenure and the creation of land registry offices. The opposing party was described as a revolutionary faction consisting of disloyal men who were neither good citizens nor true patriots. Speakers called for firm action by government, and urged the creation of ward committees capable of protecting personal property and safety by force if necessary. The following day, the Bishop of Montréal, Jean-Jacques Lartigue, published a pastoral letter. This letter challenged the premise of the right to revolt against an established government and it stressed the importance of loyalty, arguing that the principle of popular sovereignty could only be applied to all citizens.

After 23 October the pace of events escalated, leading in approximately three weeks' time to armed confrontation. Both sides acted with a sense of urgency and determination. In early November the military commander in chief, Sir John Colborne, wrote to Governor Gosford urging the establishment of an armed police force in Montréal to intervene locally and throughout the region. He requested military reinforcements from the British government and suggested that the *Vindicator* and *La Minerve* be banned from publication. His staff conferred with the Governor, attempting to impress upon him that the generalized discontent required swift action, without regard for legitimate political and legal considerations.

Outside of the Montréal district, events had not gone as far. In Québec the bilingual newspaper *Le Libéral/The Liberal* had defended the *Patriote* cause since summer, and a central standing committee for the city and the entire district had been active since mid-September. Conversely, the

supporters of the government formed the Loyal Victoria Club. *The Liberal* reported on the creation of a *Société des droits de l'homme* and, at the same time, published accounts of public harassment by garrison soldiers. The central standing committee of Montréal County remained active, along with those of the City and District of Québec and of Deux-Montagnes. Many local meetings were also held in the rural parishes of the Montréal area. In Deux-Montagnes and Haut-Richelieu, small, almost spontaneous assemblies threatened government sympathizers.

The situation was particularly explosive in Montréal because the focal points of both movements were located here. As well, because of the concentration of population, both sides could marshal supporters to action. When it became known that the *Fils de la liberté* planned a public gathering at Place d'Armes, broadsides were handed out calling on loyal citizens of the city to gather to "crush the seeds of rebellion." The *Fils de la liberté* met, all the same, on the appointed day of 6 November, but in the back yard of a private home. The anticipated clash, a street fight, ensued after this meeting. The offices of the *Vindicator* were ransacked and the newspaper ceased publication.

But the communities in the countryside surrounding Montréal did not feel the full impact of government policy and military force. Undoubtedly, it was no coincidence that the communities of most active *Patriote* support formed a ring, beginning at a 50 kilometre radius, around the city: near enough that people were aware of the garrison's imposing presence but too far for them to actually feel its effect. The situation seemed to confirm the failure of the Governor's policy of conciliation and calculated delay. In the autumn of 1837, he at last yielded to the opinions of the Attorney General, the Commander in Chief of the army and representatives of the Montreal Constitutional Association.

The Attorney General was authorized to establish a group of armed civilians, the Royal Montreal Cavalry, for police duty. At the same time, he prepared the judiciary for a strategy of arresting the leaders of the disaffection. To ensure the judges' willingness to accept sworn statements and to issue arrest warrants, the government began to purge the judiciary: on 13 November, it publicly announced a new list of justices of the peace for the Montréal district. By 16 November, 26 warrants had been issued.

The army commander, Sir John Colborne, finally convinced the Governor to allow drills in Montréal wards by loyal volunteer corps, who were supplied with weapons. More generally, preparations for joint action by the civilian government and the army were taking shape. The British army's headquarters moved from Québec to Montréal. Additional troops were requested from Upper Canada and Nova Scotia. The Montreal Con-

stitutional Association maintained contact with Colborne, while his immediate staff continued to consult with the Governor, stressing the need for speedy and concerted government action.

The First Armed Uprising

Some arrests were made in Québec where the government was sure of enforcing its power. In Montréal, only a few arrest warrants could be served because most of the people on the wanted list had fled to rural parishes sympathetic to their cause. When Louis-Joseph Papineau and Edmund Bailey O'Callaghan reached the Richelieu River, for example, they met local leaders, including Dr. Wolfred Nelson of Saint-Denis, already prepared for armed resistance.

Governor Gosford then authorized the creation of armed forces of volunteers in the city of Montréal (from 1,000 to 2,000 people) and in Québec. Lieutenant-Colonel Wetherall was despatched with four companies of regulars from the Montréal barracks to Fort Chambly. Their orders were to help arrest those named in warrants issued in Montréal and already forwarded to the regions along the Richelieu River by justices of the peace, who were supported by the Royal Montreal Cavalry.

Another detachment of the Royal Montreal Cavalry arrested two leaders from Saint-Jean. While the troops were returning to Montréal with their prisoners, they were attacked near Longueuil, on the Chambly-Longueuil road, by armed sympathizers waiting in ambush on both sides of the road. In Richelieu County, the *Patriotes* led by Thomas Storrow Brown captured the manor of seigneur Debartzch in Saint-Charles, and fortified the site. In the Deux-Montagnes area, specifically in Saint-Benoît and Saint-Eustache, military leaders were recruited, trained and given provisions and weapons despite conflicts among the local leaders.

The army launched its attack in the Richelieu River area in late November. Colonel Charles Gore's troops marched by night in harsh weather. They reached the outskirts of Saint-Denis on the morning of 23 November, and fell on the *Patriotes* who occupied strongholds in the northern part of the village, including Madame Saint-Germain's millinery shop and Dr. Nelson's distillery. The walls of the Saint-Germain shop resisted the artillery attack and its occupants were well positioned at windows to fire on the exposed infantrymen. Gore sounded a retreat at approximately three o'clock in the afternoon, fearing that his communications with Sorel would be cut as reinforcements for the besieged rebels began to arrive from neighbouring parishes. Saint-Denis's defenders were ordinary people not only from the village and parish. Supporters also had come from Saint-Ours and Sorel, downstream on the Richelieu, from Saint-Antoine

directly across the river, from La Présentation in the direction of Saint-Hyacinthe, and from as far as Montréal, Nicolet and Rigaud.

Two days after Gore's defeat in Saint-Denis and his retreat to Sorel, Colonel Charles Wetherall's troops (approximately 350 men) departed for Saint-Hilaire on the morning of 25 November and marched on the Saint-Charles camp: the Debartzch manor and surrounding positions, in the southern part of the village. At that time, the camp was defended by approximately 100 men from the Saint-Charles parish, but also from Saint-Denis, Saint-Marc and Beloeil, Saint-Hilaire and Saint-Jean-Baptiste, Saint-Hyacinthe and Saint-Damase. As they approached the site, the soldiers exchanged fire with small groups of fighters. Wetherall deployed his men a short distance from the entrenchments, and then gave the order to attack. The fight left several dead, with the heaviest casualties among the *Patriotes* who were unable to save the barricades or the manor from capture. The *Patriotes'* defeat in Saint-Charles secured the army's control over the lower Richelieu region.

The defeat of the upper Richelieu was nonetheless far from certain. In Saint-Athanase, L'Acadie and especially Saint-Valentin, where the farmhouse of Lucien Gagnon served as a headquarters or centre for information and discussion, the rebels considered an attack on the fort at Saint-Jean. Some leaders heading for the American border took temporary shelter there, like Ludger Duvernay who was forced to cease publication of *La Minerve*, and Robert Shore Milnes Bouchette of Québec, also compelled to suspend publication of *The Liberal*.

Because weapons were scarce and government troops reinforced Chambly, Gagnon first guided the leaders sought by government warrant to Swanton, Vermont, just south of the border. A number of refugees were already there. They purchased and were given weapons. On 6 December, a band of 80 armed men equipped with two cannons and munitions set out from Swanton. They avoided Philipsburg, near Missisquoi Bay, which was known to have mobilized against the expedition, and instead travelled across Canadian territory by a more easterly route from Highgate to Bedford, through Moore's Corner (today Saint-Armand-Ouest). All the same, the Philipsburg volunteers had time to warn neighbouring localities in Missisquoi County, and to enlist their support.

The Philipsburg volunteers, and others from Pigeon Hill, Frelighsburg, Stanbridge, Bedford and Mystic were waiting in the early evening of 6 December for the rebels from the United States to appear. Fewer in number and distinctly disadvantaged by their position, the men arrived at about eight o'clock and were completely blocked. To the rebels, the "Missisquoi affair" showed the limits of engagements involving the support of Ameri-

can border population. On the other hand, the role of the Missisquoi Volunteers at Moore's Corner reassured the army commander that the effectiveness and determination of the government's armed supporters could be counted on, even in the absence of troops.

Their success freed the army to attack camps in the north, at Saint-Benoît and Saint-Eustache, in Deux-Montagnes County. The government's forces were large and strong: Sir John Colborne, Commander of the British army in North America, personally led the 1,200 regular soldiers (including a regiment of 600 men from the Québec garrison), with an artillery equipped with a dozen cannons, more than 150 volunteers from Montréal, and approximately 80 from Saint-Eustache itself. Jean-Olivier Chénier led the *Patriotes* (many from Sainte-Scholastique and Rivière-du-Nord or Saint-Jérôme) entrenched in the church, the presbytery, the convent and neighbouring houses. Colborne won a decisive victory. A hundred or so insurgents were killed, including Chénier, and an even larger number taken prisoner. The following day, the army reached Saint-Benoît and discovered the *Patriote* camp in total disarray. The village was burned to the ground.

In the United States, however, the *Patriotes*, now political refugees, hoped to turn the tide. Economic factors had already prompted a large number of families to move there prior to 1837. And now, political events forced many people (perhaps 500) to flee to American territory, either to settle or to continue the fight against the government of Lower Canada. Many inhabited the border regions on either side of Lake Champlain, which was a natural extension of the Richelieu Valley. In northern New York State, refugees from Lower Canada lived at Rouse's Point, Champlain, Chazy and Plattsburg; and in northern Vermont State, at Alburg, Highgate, Swanton, Saint Albans and Burlington.

Many communities in northern and central Vermont held meetings in December 1837 and January 1838 in support of these political refugees and their cause. In some cases, money, weapons and various services reinforced moral support. At the national level, high profile leaders who sought asylum in American territory tried to generate interest in Canadian political affairs among local government and business people. But the official American position, expressed by the Governor of Vermont, the Governor of New York State and President Van Buren (5 January 1838), was neutrality and non-intervention in the affairs of Great Britain.

In Middlebury, Vermont, on 2 January 1838, what was intended as a critical coordination meeting among the major rebel leaders ended in disarray. There existed divided opinion among those in favour of immediate armed action and border raids, and those in favour of diplomatic

and financial lobbying as a means of winning in the longer term. Louis-Joseph Papineau became a symbol of the split in the rebel camp. Some sarcastically began to call him the “grand chief” or “number one.” Papineau had settled far away, in Saratoga Springs, near Albany, New York; it was difficult to reach him and his apparent aloofness was difficult for some of the *Patriotes* to bear. Some also reproached him for his conservative social ideas, including his failure to support the abolition of seigneurial tenure. Robert Nelson, a Montréal doctor (brother of Wolfred Nelson of Saint-Denis), and Dr. C.-H.-O. Côté of Napierville, perhaps the most active supporters of rebellion between September and December in L’Acadie County, would soon provide leadership for the *Patriote* cause in Papineau’s absence, but their authority was not unanimously accepted.

On the evening of 28 February 1838, Robert Nelson is claimed to have led 600 or 700 men across the border, between Alburg (Grand Isle County, Vermont) and the seigneurie of Caldwell’s Manor (Clarenceville), west of Missisquoi Bay. But the following morning, after stopping for the night, only 160 or so men remained, most from the counties of L’Acadie and Laprairie. They decided to retreat when they learned that their movements had been reported, that local volunteers were awaiting them, and that soldiers from the Saint-Jean garrison were headed in their direction from Henryville. But Nelson, as president of an interim government, proceeded to declare political independence for Lower Canada, guided by advanced social principles. To the east, near Lake Memphremagog and at almost the same time, a small group from North Troy, Vermont, clashed with volunteers from Potton Township, supported by others from Brome and Shefford. A group from Derby, Vermont, intended to march on Stanstead, but never saw action.

The Second Armed Uprising

Plans to mount a major offensive, postponed from the spring to the fall of 1838, remained a subject of discussion and rumours. With the arrival of reinforcement troops from Great Britain and the Maritimes, the British army now had 5,000 men stationed in Lower Canada. The force was strong enough to allow the colonial government to save money by dismissing the many paid volunteer corps. The army remained vigilant, and developed its intelligence activities. In Québec and Montréal, reorganized police forces and a larger bureaucracy monitored and denounced acts of political subversion. Judges with close ties to government, often strangers to the local communities, many of them British army officers on special assignment, were posted to ten or so parishes to report on the mood of the surrounding population. The government of Lower Canada

had spies in the United States, and the American government kept the British administration in Canada informed of the refugees' situation and action.

In the summer of 1838, the *Patriotes* likely formed a secret society, which they had talked about for six months, and which they believed would help the rebellion to succeed. The society, called the *Frères Chasseurs*, followed rules of secrecy and ritual similar to those of the Hunters' Lodges common in border states from New Hampshire to Michigan. Through the *Frères Chasseurs*, the *Patriotes* planned a major offensive by coordinating an invasion from the United States with a popular uprising in Lower Canada itself. According to a letter from Dr. C.-H.-O. Côté to Ludger Duvernay in early September of 1838, the *Frères Chasseurs* lodges existed in 35 communities in Lower Canada.

When Robert Nelson arrived in Napierville on Sunday morning, 4 November—the day specified in a general plan put forward by the *Frères Chasseurs*—between 700 and 800 people had gathered to meet him. Nelson again read his declaration of independence. Weapons were passed around. Other armed camps were held: in Beauharnois, Sainte-Martine (Baker camp, upstream of the Châteauguay River), in Châteauguay, and in Rivière-à-la-Tortue (Saint-Constant). They were less successful, but events were unfolding in Pointe-Olivier (Saint-Mathias), Boucherville and even Terrebonne.

In Beauharnois, the *Patriotes* disarmed government supporters, captured the manor of Seigneur Ellice as well as the steamship **Henry Brougham**, which they put out of commission. But a group of rebels from Châteauguay, who attempted to take weapons from the Mohawks in Sault-Saint-Louis (Khanawake), were instead taken prisoner, conveyed to the Lachine troops of the Royal Montreal Cavalry, and finally led to prison in Montréal.

From the main camp in Napierville, growing in numbers of supporters but lacking in weapons, a hundred men headed toward the border and Rouse's Point at the mouth of Lake Champlain in the United States. They aimed to secure reinforcements, weapons and artillery parts stored there for the use of *Patriote* insurgents, and seize control of the route between Napierville and the American border. But this route passed through Lacolle, where there ensued a brief skirmish with local volunteers, who hurried to warn government troops in Saint-Jean. From there, the information was relayed to military headquarters in Montréal. The rebels returned from the United States the next day with approximately 170 men, including 40 or so Americans from Alburg, Vermont. They clashed with local volunteers and volunteers from Hemmingford and Sherrington. The *Patriotes* were defeated in less than half an hour.

Two days later, a larger force set out from Napierville to regain control of the region and re-establish communication with supporters in the United States. This time Nelson himself and the French-born officer Hindenlang were in command. But the volunteers, already in waiting, had received reinforcements from the Loyal Rangers of Clarenceville. The confrontation lasted more than two hours and took place in the village of Odelltown, a few kilometres south of Lacolle, near Richelieu and the American border. For the rebels, the second defeat was more stinging than the first. For the loyal forces, their success in Odelltown confirmed their hold on the rebels' route to their American bases.

The regular army did not play the main role in scattering the secondary camps based in Sainte-Martine, Beauharnois and Châteauguay after the *Patriote* defeat at Odelltown. In all three instances only a few shots were fired. When news of the defeats in southern L'Acadie County reached Sainte-Martine, the rebels scattered upon the arrival of the combined forces of the Huntingdon Volunteers and the Glengarry Highlanders, from the neighbouring region of Cornwall in Upper Canada, accompanied by Mohawks from Saint-Régis. In Beauharnois, the following day, the forces quickly dispersed at the approach of the Glengarries, supported by volunteers from Cornwall and Brockville, and a company of regulars recently despatched from Kingston to the Montréal garrison. In Châteauguay, rebels fled with the arrival of a regular army company, volunteers from Lachine and Mohawks from Sault-Saint-Louis.

On the morning of 10 November, less than a week after the start of the attempted major uprising, Colborne arrived in Napierville with 3,300 men to find the village almost deserted. The event is symbolic, a reminder that the major confrontation of 1838 did not occur between the army and the rebels. The rebels were vanquished during this uprising in November of 1838 primarily by popular forces mobilized against them, and through the active intervention of armed volunteers.

The events described here suggest the Rebellions were a relatively major phenomenon. While the *Patriotes* may not have comprised a majority of the population, one should bear in mind that any rebellion or revolution is rarely the work of the majority. Rebel activity occurred mainly in the Montréal district, rather than in the districts of Trois-Rivières, Québec or Gaspé. But the Montréal district comprised from fifty to sixty percent of the entire population of Lower Canada at this time. And political dissent was much more widespread than the armed uprisings might indicate.

II. Fundamental Causes of the Rebellions

How did events reach such a climax? With differences of opinion and conflicts of interest commonplace in political and social life, why in the decade of the 1830s did people resort to violence? Explanations based solely on the personalities of the principal players, on a conspiracy theory, or which rely on the coincidence of immediate events should be downplayed. They fail to address the fundamental issues.

To attribute the Rebellions to the extremism of Papineau and his followers overlooks the conditions which made it possible to exercise such leadership. Similarly, a conspiracy theory offers little by way of explanation, considering that some people on the rebel side seem to have decided freely to adopt weapons as their principal means of response. That the government provoked rebellion as a pretense to subdue unrest and at the same time to quash the protest movement is equally unsatisfying.

Examining the immediate events of 1837 and 1838 cannot alone explain why a revolt occurred, although it can help to clarify the specific moment and its repercussions. The Russell Resolutions are merely an "immediate cause." Certainly, the problems of rural populations struggling with poor harvests, and the financial and banking crisis which spread from Great Britain and the United States to Lower Canada precisely in 1837, made the situation more painful. But because these problems could not be directly blamed on existing authorities, they do not seem a likely cause for armed rebellion. Finally, to observe that the political culture of the day, whether in the Canadas, the United States, Great Britain or continental Europe, was more tolerant of violence, sheds greater light on the *experience* of conflict than on the conflicts and the underlying issues associated with them.

Politics

Lower Canada was a colonial territory, one of the British colonies north of the United States. Under the Constitution of 1791, the local population could elect its representatives to a Legislative House of Assembly, but the Governor, appointed by Britain, and the executive advisors, chosen by the Governor, were completely independent of this Assembly. Moreover, even the legislative power of the Assembly, elected by the people and feared for its impetuous aspirations, was limited by the concurrent power of the Legislative Council, a legislative body whose members were also appointed by the Governor.

By 1837, this balance had for many years been challenged in the name of the "country" by the *Patriote* Party, which had consistently held a majority of seats in the Assembly and could claim popular democratic sup-

port. But this same balance was staunchly defended by the parliamentary minority as that most suited to a colony of the British Empire, and to economic development. Though lacking direct control over the practices of the Executive or the appointment of senior civil servants, the House of Assembly took advantage of its power to veto public spending. It also indirectly guided the course of those in power by refusing to vote on the civil list, the wages of civil servants being the largest item in the civil government's budget. The military government's budget, however, was completely beyond the purview of the Assembly.

For three years prior to 1837, the Assembly had called for constitutional change in demanding an elective Legislative Council to neutralize "*la composition vicieuse et irresponsable du Conseil exécutif*." The protracted crisis translated into major delays in legislation and a degree of administrative paralysis. The 15th Parliament of Lower Canada, elected in 1834, remained in office until the Constitution's revocation during the Rebellions. It held only four brief sessions and sat for a very few days. Complaints directed at the Executive and the Legislative Council caused routine legislative business to stagnate. Constitutional associations began to form in the colony, arguing that reforms were possible without constitutional change. They declared their loyalty to the Empire and pledged allegiance to the Crown. They also berated the Assembly for its refusal to cooperate with government, blaming it for creating political deadlock.

This movement, launched by the Québec Constitutional Association and the Montreal Constitutional Association with some thirty local affiliates, argued that the political rules established by the 1791 Constitution were still appropriate for a territory whose development depended on Great Britain. Among other things, the associations wanted the Governor to continue to appoint members of the Legislative Council. They viewed the balance between an appointed Legislative Council and an elected Assembly necessary for defending the interests of business and property owners.

Both the supporters and opponents of political reform called on the British Parliament to defend their respective points of view. In 1835, this government appointed a new governor who was also given responsibility for heading a Commission of Inquiry. The Commission submitted its considerations and recommendations at the end of 1836 and early 1837. This is when the British government settled the political conflict through the Russell Resolutions, which dictated no change in the Constitution—in other words, no fundamental changes in the established rules of politics.

The Russell Resolutions asserted that the Legislative Council should not become an elected body and dismissed the possibility of limiting the

power of the Executive Council, as requested by the House of Assembly. One resolution confirmed the legal title (1834) of the British American Land Company, a colonization company to which the British government had transferred vast tracts of Crown Land in the Eastern Townships despite strong opposition from the House of Assembly of Lower Canada; another indicates the imperial government's openness to the possibility of revoking its own legislation (of 1822 and 1825) against seigneurial tenure, but on the express condition that the colonial Legislature replace it with similar legislation of its own.

The strong reaction to the Russell Resolutions in the spring of 1837 led to widespread protest and ushered in the period of political instability. But the Resolutions themselves only sparked the immediate reaction. The underlying causes of the Rebellions had been present for some time. In 1837 and 1838 the government tried to quell the political unrest through legal means, which proved difficult to implement. In the end, the colonial government succeeded only through military intervention and the armed organization of loyal elements of the population.

Economy

The economy of Lower Canada in the 1820s and 1830s was colonial. It was the economy of a new and relatively unpopulated country, heavily dependent on Great Britain for most of its imports and its exports. Trade was the source of major fortunes, accumulated capital and colonial credit in Great Britain. Merchants, lumbermen and agricultural exporters, like the fur traders before them, dominated the economy. They established the first banks, including the Bank of Montreal (1817), and sought to develop canals to enhance their primary transportation artery, the St. Lawrence River.

These entrepreneurs considered ties with the imperial market the driving force behind commercial development. They believed the colonial government was obliged to support their ventures, especially by investing in major public works such as canals. The colonial government, on the other hand, viewed commercial entrepreneurs as individuals who promoted development through their efforts to encourage immigration. Immigration was a means of bringing farmers and labourers for the lumber trade to the colony to ensure products for the export economy.

In this context, vacant Crown Lands were destined to serve imperial business interests and also to provide homes for the vast number of immigrants who arrived after 1820. The major merchants, who were urban land owners and speculators, sought to eliminate barriers to settlement and economic development in order to support their interests in export-

related production (chiefly, mills for lumber and grain). These entrepreneurs saw the seigneurial system as the main impediment to economic development. They opposed such aspects of the system as the seigneur's monopoly on the use of water power and the *lods et ventes*, a twelve percent charge paid to the seigneur for property transactions.

The major merchants, directly and indirectly, were clearly interested in developing a market economy in the colony within the framework of the larger imperial economy. At the same time, however, other, familiar forces were also working toward change. As the population of Lower Canada grew to reach approximately half a million in the 1830s, and with the growth of Québec, Montréal and Trois-Rivières (cities previously associated only with imperial trade) a more regionally and locally oriented economy was developing.

Signs of this domestic market's vitality in the years from 1815 to 1830 include the diversification of agriculture, a degree of economic and social diversification among rural inhabitants, and the significant growth in local services, construction trades, workshops and stores (e.g., tobacco factories, taverns, distilleries, tanning shops, foundries). More generally, the "between city and country" growth was evident in the expansion in the number and size of villages, and the more extensive road network which reflected local and regional communication needs.

The colonial economy had two dimensions which were sufficiently mature by the 1830s to generate diverging interests and opinions among the colonists of how development should proceed. Contrary to the historiography of the 1930s, the dichotomy between these two dimensions was not business and agriculture; neither was it a dichotomy of business and industry as the historiography of the 1960s inferred. Rather, one set of forces pushed for development based primarily on a relationship with the imperial market; a second set of forces emphasized development based primarily on the domestic, colonial market. Defence of the "imperial" agenda clashed with the rationale supporting the development of the "colonial" agenda.

By the summer of 1829, the absence of *Canadiens* in transatlantic trade was a subject of complaint in Lower Canada, and attributed to a reluctance to establish companies. But plans for a limited trading company were publicly announced in Montréal early in 1832, and a promotional meeting was held at the Nelson Hotel. The promoters introduced the company (*Maison canadienne de commerce*) which they believed would be a means for the *Canadiens* to play a larger role in the import/export trade. The sponsors realized that for the company to succeed, they would also need to establish a counterpart company in London or Liverpool. This fledg-

ling initiative aimed less to reshape the economy itself than to break the British monopoly in an area of business where its importance was undisputed.

Requests by commercial interests for government support to develop canals on the St. Lawrence failed to gain the expected sympathetic hearing from the majority in the Assembly, especially after 1831. The Legislature did, however, authorize considerable spending on the construction of roads, bridges and canals for the Richelieu River. It also authorized the creation of the Champlain and St. Lawrence Railroad. This enterprise was intended to link Montréal with Lake Champlain to New York via Laprairie on the St. Lawrence and Dorchester (Saint-Jean) on the Richelieu River. In general, the Assembly was suspicious of promoters of large-scale projects and insisted that the investment of public funds entitled it to monitor future profits. After 1834, however, the political crisis prevented or delayed government support for public works in every area. That year, for example, while Upper Canada undertook to improve transportation on the St. Lawrence River between Prescott and Cornwall, in Lower Canada nothing was accomplished to improve the route further east through Cascades, Les Cèdres and Côteau-du-Lac.

Through the 1830s Crown Lands and seigneurial rights continued to stir controversy regarding property law and the reform of Lower Canadian legal institutions. The opponents of the "Assembly Party," irritated by its attitude, painted it, and any *Canadiens* who supported it, as the enemy of progress, backward and ill-disposed to business.

By the 1830s vacant land in Lower Canada had become a scarce resource. Much of this land was located in sparsely populated townships, outside the areas divided into seigneuries, and in regions only recently opened to settlement. Particularly during the years of immigration by United Empire Loyalists, colonial government had ceded large tracts of Crown Lands for settlement. Since 1826 the government had engaged a senior civil servant as Commissioner of Crown Lands. The Commissioner was to reduce corruption and favouritism and to increase provincial revenues through land sales. The colonial government nevertheless continued to transfer and sell land on conditions other than those it had itself established.

Naturally, the Assembly harshly condemned the Executive's action (and inaction) because of the obstacles and costs imposed on honest settlers who wished to acquire land. On the one hand, the Assembly was criticized for failing to approve planned expenditures for such things as roads or bridges for new regions and thus, hindering economic development. On the other, however, the Assembly engaged in power struggles with

the Executive over the use of Crown Land. Above all, the lower house viewed all colonial lands as the property of Lower Canada's citizens, subject to their interests and the authority of their representatives.

During this period, a private company was about to organize in England (after an earlier plan in 1825 had failed) to acquire vast stretches of land for resale to settlers. It was planned as a speculative venture that would generate wealth and capital investment or so its supporters claimed. In 1834, the British American Land Company received a charter and became the owner of almost one million acres of land in the counties of Sherbrooke, Stanstead and Shefford. Many protested, from 1832 onward, that this type of company represented parasitic speculation, foreign monopoly, the spectre of aristocratic absenteeism and an affront to colonial freedom. Such was the opinion of the Assembly Party and its partisan press, shared by some critics from the regions directly concerned.

But the land issue also touched on the matter of seigneurial control of land that had been generally occupied for a longer time, where, particularly after 1820, it was difficult for individuals to become property owners. But these problems were not the reason why the British Parliament intervened in the "domestic affairs" of Lower Canada. In 1822, a surprise law by the British government, influenced by petitions from Lower Canadian business circles, gave seigneurs the option to sell a part of their lands, not yet ceded to settlers. This law was fairly clear concerning the terms of sale for interested seigneurs, and their obligations to the Crown. It was unclear, however, on their corresponding obligation to release their tenants from seigneurial dues, on transfer charges, and on the terms of release; hence the passage of another Act by the Parliament in London in 1825 on "Tenures" which provided for the creation of expert advisory commissions to assess the respective rights of the seigneurs and their tenants during the transition from one system to another. In fact, nothing was done in this regard for the next ten years; the seigneurs were unmotivated to act, the Assembly uncooperative and the Executive lacking in determination.

The Assembly and its majority actively voiced their opposition to the legislation and in 1826 unsuccessfully petitioned for its repeal. The law, they claimed, was overly generous to the seigneurs, allowed them too much land, "*sans égard aux droits des habitants*," and made land ownership even more difficult. With little capital, the rural population preferred to pay its seigneurial dues rather than spend money or incur debt to acquire full ownership of the land.

In early 1834, the Assembly nevertheless created a committee on seigneurial rights, and Louis-Joseph Papineau, in a debate on the surrender

of such rights, considered these measures advantageous for "*les grandes entreprises qui sont une source de richesse*," for major construction projects, speculators and manufacturers. In the 92 Resolutions (sec. 58), the Legislative Assembly claimed itself willing to intervene in "*un sujet aussi compliqué*" and better qualified to do so than the Parliament of Great Britain. The committee submitted a report on 1 March in favour of drafting legislation distinguishing between what in the seigneurial system "*est de nature à entraver le commerce et arrêter les entreprises utiles des Capitalistes*" (especially the *lods et ventes*) and should be abolished, as opposed to what the farm population wished to retain. The committee also sat in 1835 and 1836 to examine submitted requests, listen to testimony and question the "experts." But in practice, nothing was accomplished. The political climate and conflict within political institutions between 1834 and 1837 was simply uncondusive to major legislative undertakings of any sort.

The seigneurial system remained a topic of interest within the *Patriote* movement, especially since no one knew exactly how it would be reformed. In L'Acadie County, in the summer of 1836, individuals at a public meeting stated their support for the abolition of seigneurial rights. In the protest meetings which followed the Russell Resolutions in the summer of 1837, the counties of Terrebonne, L'Acadie, Vaudreuil and Yamaska asked in their resolutions that efforts be made to resolve the seigneurial issue. In Côteau-du-Lac, the necessary reforms were considered impossible without "*un conseil législatif électif, et un conseil exécutif responsable et ami du pays*." In Saint-Athanase in Rouville County, during a last-minute conciliatory meeting between loyals and *Patriotes* in early November 1837, "feudal tenure" was unanimously condemned.

Seigneurial issues represented an explosive problem in the antagonism between *Patriotes* and loyals. Businessmen capitalized on the issue. Partisan articles in newspapers like *The Québec Mercury*, *The Montreal Herald* and *The Montreal Gazette* portrayed the *Canadiens* as members of a relatively unenlightened peasant class, ignorant of their own best interests, and easily taken in by seigneurs and lawyers who led a regressive fight to defend feudalism.

And yet, Gosford's Commission reported in early 1837 that the idea of ending seigneurial rights was making progress among the majority party ranks. The report indicated that the matter might have been resolved by mutual consent if the two major parties had demonstrated the will to do so. Two years later, the *Durham Report* (1839) also referred to political parties successively opposing land reform, as both sides used seigneurial issues primarily to embarrass their opponents rather than to find a workable solution to the land problem. Both Commissions commented that

political rivalry delayed the resolution of the long-standing dispute over the establishment of land registry offices in the seigneurial portions of Lower Canada, the reform of hypothecary law and the challenge to customary dower.

Identity

In British North America, the colony of Lower Canada was unique in that its population consisted primarily of Francophones. In the words of one observer of the day, French Canada and English Canada comprised two separate realities. This linguistic and cultural division gave rise to conflicts, and in this specific regard, the Rebellions appear as a revolt by French-speaking Lower Canada against the British government and against the local forces of British colonization.

After the American War of Independence and immigration into British colonies by American Loyalists, Great Britain launched a territorial and political reorganization of its possessions in North America. As in the case of New Brunswick, which had been created from the colony of Nova Scotia, the British government established two separate colonies in 1791 from what had formerly been the "province" of Quebec, extending from the Gulf of St. Lawrence to the Great Lakes. Thus emerged Upper and Lower Canada, based on the upstream and downstream division of the river. By the same token, imperial authority granted the people of each new colony the right to elect representatives to a House of Assembly.

Viewed from the point of view of the British government, this territorial division of 1791 largely aimed to spare Loyalists and American and British immigrants in the sparsely settled region of Upper Canada from having to deal with the French majority of the other (Lower Canada) and with the institutions it had been granted. In fact, because the recent division formed along linguistic lines, it could be interpreted as further recognition of French-Canadian distinctiveness, despite the clearly expressed wish of the Prime Minister, William Pitt, that freely and in time, Lower Canada could be persuaded to abandon its laws and customs.

But less than twenty years later, Governor Craig, in open war with the Assembly, stated that the Assembly's leaders, buoyed by their close ties to the people, were actively promoting the idea of a "*nation canadienne*" against the authority of the colonial Executive. Already, the debate stirred over the traditional institutions and respective rights of the Francophone population, and those of the Anglophone population. As well, the initial version of the Canada Trade Act of 1822 not only set rules for sharing duty revenues between Upper and Lower Canada. At the urging of prominent colonials, businessmen, large landowners and members of the Executive,

the bill included plans to combine the Legislatures of Upper and Lower Canada into a single Legislature, with provisions to encourage the political assimilation of French Canada.

Similarly, the Canada Tenures Act (1825), aimed not only to promote the voluntary commutation of seigneurial tenure to free tenure, but also to encourage a shift from "French" property law to "English" property law. Although the proposed legislation of 1822 and the 1825 Act had few immediate effects, they were perceived as an assault on the French culture of the majority of the population of Lower Canada. Memory of the intention of both pieces of legislation remained fresh until the Rebellions themselves. By 1837, there was no shortage of plans to undermine the territory and institutions upon which a "*nation canadienne*" might have been built: plans to annex Montréal Island to Upper Canada; to dismantle Lower Canada and create regional governments, thereby freeing the urban Québec and Montréal regions from the Francophone political majority; and renewed talk of union between Lower and Upper Canada, or a federation of all British colonies in North America. Colonial society embodied two opposing identities. On the one hand, the Assembly—elected primarily by Francophones—asserted political rights; on the other, the predominately Anglophone business community promoted economic development.

The two facets of Lower Canada's population shared an allegiance to the British Crown. Born in the first decade of the 19th century, at the same time as the recognition of the Assembly's powers, the *Parti canadien* was not only aware of this fact, but viewed it as a considerable advantage. The newspaper *La Minerve* defined the meaning of "Canadien" or "Patriote": "*politiquement les Canadiens sont tous ceux qui font cause commune avec les habitants du pays, ceux en qui le nom de ce pays éveille le sentiment de la patrie. . . . dès qu'un habitant du pays montre qu'il est vraiment citoyen, on ne fait plus de différence.*" The gradual replacement of "Canadien" by "Patriote" is insightful and revealing of intent. Political support for the "*Parti canadien*" had never been limited to the *Canadiens* alone; and the people referred to in *La Minerve* as *Canadiens* by genealogy are "*ceux dont les ancêtres habitaient le pays avant 1759.*" In the ten or so sessions of the Assembly between 1824 and 1834, one-quarter or perhaps one-third of the English-speaking members of American or Irish origin, but also English and Scottish, sided with the reformers. The term "*Patriote*," then, connoted a broadly based reform movement. Moreover, the term *Patriote*, during the first third of the 19th century, carried still a positive connotation associated with the Enlightenment, the American and French Revolutions and with popular political movements in Ireland, Poland, Hungary, Belgium and parts of Latin America.

The 92 Resolutions of 1834, entitled *Adresse au Roi et Pétition aux Lords et aux Communes...*, mentions the “odieuses distinctions et préférences nationales” at work in the colony against people of French origin, of the “séparation de droits et d’intérêts,” of “disproportion” in government employment, with figures that reveal what would now be called discrimination: according to a government list dated 1832, only 20% of positions were filled by people of French origin although they made up some 80% of the population. Under these circumstances, such discrimination and countless other grievances would make it impossible, without sweeping changes, to maintain allegiance to the British sovereign, to assure the loyalty of the colony, and to resist the lure of joining the democratic United States.

Many public assemblies were held in the spring of 1834 to support or challenge the 92 Resolutions. Those opposed to the 92 Resolutions held a meeting on 5 April in Tattersall’s (Montréal), attended by 2,500 people. It was followed by a meeting on 21 May with the Governor. The Governor welcomed the delegates by expressing his full agreement with their opinions. He spoke ironically of the “arithmetic” and asked what could be done on a practical level to ensure that patronage complied in exact proportions to the French, English, Scottish, Irish and American populations. However, he complained of the *Patriote* Party’s gall in considering as a brother and fellow-Canadien any stranger who settled in their midst, but not the “subjects of her Majesty, born in Great Britain.” In a pamphlet published shortly thereafter, the central and standing committee for the district of Montréal objected, indicating that it would no longer refer to “foreigners” but to “*co-sujets du Royaume-Uni*.” Nevertheless, the term *compatriote* was reserved for anyone who supported the *Patriote* Party.

In March of 1834, the *Aide-toi, le Ciel t’aidera* Society was established (its name a reminder of events in France in 1830) as a forum for thought and discussion. For the first time, on 24 June 1834, *la fête de la Saint-Jean-Baptiste* was celebrated. For many years, Irish immigrants had celebrated St. Patrick’s Day. And for a short while, the Hibernian Benevolent Society (aligned with the *Patriotes*) and the St. Patrick’s Society (aligned with the *loyals*) quarrelled over membership. In the 1830s, the many ethnically based societies established in Lower Canada (St. George’s Society representing English heritage, St. Andrew’s, Scottish, for example) aimed to welcome immigrants from specific ethnic groups, to help families in need and to encourage ties among members of the community. In the years from 1834 to 1837, they played an important political role, and represented one of the sources for recruiting and mobilizing the constitutional association movement which emerged after the 1834 elections to counter the effects of the *Patriote* Party’s control over the House of Assembly.

The public discourse of these constitutional associations was generously sprinkled with arguments of ethnic bias, describing the Assembly as dominated by a French faction which displayed little loyalty to the King, no real desire for membership in the British Empire and no interest in the non-Francophone peoples of Lower Canada. One example of printed discourse dismissed the idea of a "*nation canadienne*" as a utopian dream. Within the British Empire, in a colony open to British settlement, and whose major economic activities were controlled by people who spoke the Empire's language, naturally the British would dominate. Lastly, it called for unity with sister provinces in British North America, presenting the union of Lower and Upper Canada as a means of ending the tyranny of a French Assembly in Lower Canada, and often considered assimilation of the French-speaking population as the only means of guaranteeing its loyalty and of ensuring, on British lands, the rise of British civilization.

Widespread Social Crisis

The Rebellions in Lower Canada grew out of a widespread social crisis. This crisis embodied simultaneously, a desire to develop democratic political institutions, the exploitation of the colony's economy, and the creation of a colonial identity. None of these three basic causal factors may be lightly dismissed; all three are of equal importance. Emphasis on one should not overshadow the importance of the others, since none of the factors at play is completely independent, and the interaction and complementarity of the three factors in the Rebellions is obvious.

Perhaps even a contemporary view demonstrates that the protest movement in Lower Canada was more intense than in Upper Canada. While both movements were rooted in specific political and economic factors, in Lower Canada, the struggle over colonial identity through the Rebellions was much more pronounced than in the neighbouring colony. In fact, Lord Durham's *Report*, issued immediately following the events, represents a complex analysis of causal factors leading to rebellion in both colonies. In studying "*the relative influence of the causes which had been assigned for the existing disorders*," the *Report* emphasizes the tension between the major linguistic groups in Lower Canada as "*a far deeper and more efficient cause* [compared to political factors, for example]—*a cause which penetrated beneath its political institutions into its social state*." The *Report* goes on to state, in contradiction to the theory advanced in the newspaper *Le Canadien*, that "*it is difficult to believe that the hostility of the races was the effect, and not the cause*" of the failure to introduce the necessary political reforms.

The *Report* did not completely ignore the problems of political institutions in its analysis of the roots of rebellion. Durham wrote, "*there had existed in the constitution of the Province, in the balance of political powers, in the spirit and practice of administration in every department of the Government, defects that were quite sufficient to account for a great degree of mismanagement and dissatisfaction.*" He went on to state, "*the hostility of races [were] palpably insufficient to account for all evils which have affected Lower Canada....*" The *Report* contains an explicit admission of the difficulty in judging the importance of factors with a two-fold impact: "*It is impossible to determine precisely the respective effects of the social [here to include economic factors and those of colonial identity] and political causes.*" Furthermore, Durham asserted "*the struggle between the Government and the Assembly has aggravated the animosities of race; and the animosities of race have rendered the political difference irreconcilable.*"

III. Immediate and Long-term Effects

The Rebellions of 1837 and 1838 were repressed by the regular army and by forces of "loyal" citizens armed by the government. The fights and skirmishes left three hundred dead. More than 1,300 people were imprisoned, 500 following the events of November and December 1837, and 800 after events in November 1838. Eight rebels of 1837 were exiled to Bermuda, and among those of 1838, twelve were hanged (Pied-du-Courant prison, Montréal, December 1838 and January 1839) and 58 deported (September 1839) to the British penal colony of New South Wales, Australia. During this time, to evade arrest and punishment, approximately 500 people sought asylum in the United States for a few weeks or a few years.

According to standard British army practice, reprisals were made against local populations which rose up against government authority: in some cases, families were obliged to provide free accommodation to soldiers; the army looted and burned houses belonging to rebel leaders and to people who fought against the troops. Such was the case in Saint-Denis where Gore returned one week after his defeat, and also in Saint-Charles and Saint-Eustache. But after Saint-Eustache, things went further than Colborne's orders allowed: the entire village of Saint-Benoît, which had already surrendered, was reduced to ashes by volunteers accompanying a regiment of regulars stationed in Carillon (Outaouais). And in Beauharnois County, in November 1838, Glengarry Highlanders arriving from the Cornwall region engaged in systematic pillaging.

In the Montréal district, the most populated area of Lower Canada, the right of habeas corpus was suspended, and in all there were fifteen months of exceptional administration of justice and martial law. A military court

and summary justice sent the prisoners of Pied-du-Courant to the gallows for crimes of high treason.

But these more spectacular, and therefore more historically memorable, events should not obscure another fact with more general implications: for three years, previously acknowledged democratic political rights were suspended. When Governor Gosford left the colony after admitting the defeat of his conciliation policy, he was replaced as civilian governor by the army commander; the 1791 Constitution was suspended and, as a result, the two legislative bodies, including the people's elected Assembly, were dismissed. A specially appointed committee (the Special Council), operating by decree in cooperation with the Governor, ruled the land.

During this time, a policy of judicial interrogation, of seeking informants and of employing spys came into effect, while newspapers hostile to the government were destroyed. The offices of *The Vindicator* (Montréal) and *The Township Reformer* (Stanbridge East) were ransacked. The editors of *La Minerve* and the bilingual newspaper *Le Libéral/The Liberal* (Québec) had to flee to the United States. Authorities were even suspicious of *Le Canadien*, and monitored it closely, while the new newspaper *Le Fantasque* managed to survive—and to erratically appear in print—only on the strength of its irony and humour; in Montréal, newspapers like *La Canadienne* and *La Quotidienne* disappeared soon after their establishment.

It is in this context that a new order was being prepared through the half-concerted, half-concurrent efforts of Governor Gosford, the Special Council and the British government. The British government called for another inquiry and, in January 1838, assigned Lord Durham the double mandate of Governor General of British North America and President of the Commission of Inquiry on the situation in the North American colonies, on the armed confrontation in Upper and Lower Canada, and especially on the problems, recognized as more urgent, of Lower Canada. The Commission's *Report* and appendices were submitted to a vote by the British Parliament in early 1839; it included a diagnosis on each of the major regions of British North America (respectively, Lower Canada—the subject of by far the most lengthy analysis—Upper Canada and the Atlantic provinces); a chapter on the problem of Crown Lands and another on British immigration; and, lastly, a summary with recommendations addressed to the Queen and the British government. The *Report* stressed the common interests of Great Britain and British settlement, and dramatized the problem of American proximity and American competition.

From this perspective, the *Report* notes that the antagonism which paralyzed colonial political institutions resulted from their very structure, and he recommended that the Crown support the introduction of

representative government. He noted a certain under-development of the British territory compared to the United States, and recommended that the British government promote economic and demographic growth, and develop major transportation infrastructures. He observed that the colonies of British North America lacked some unifying feature, for its own identity and to meet competition from the American Republic. He recommended, after suggesting a federation of all the colonies, the legislative union of Lower and Upper Canada first, with the possibility of allowing other colonies to join a Canada united within a federal union.

Reforms in this direction came after the *Durham Report*, and the *Durham Report* came after the Rebellions. Because of this, many people tend to attribute the rise of "responsible government," the triumph of business and its interests on the political scene after 1837-38, and the union of Upper and Lower Canada (1841) to the Rebellions or their failure. And in Durham's plan, political union with Upper Canada included the idea of reducing French-Canadians to a political minority, and gradually assimilating them.

But this assumed link of cause and effect requires explanation and refinement. In the case of "responsible government," the sustained evolution of the colonies as a whole, changes of opinion within the Colonial Office, and the rise of free trade in Great Britain were other contributing factors. Concerning the success of the economic elites in imposing their views on state operations, the undisputed dominance of their new position, after 1837-38, should not overshadow their considerable and growing influence in previous decades. Finally, the idea of assimilating the French-Canadians, and of political union with Upper Canada as a means of doing so, had certainly preceded Durham's *Report*; this idea had been discussed at least as early as 1822, and had figured on the agenda of the "constitutionalist" forces assembled after 1834.

Does this mean that the Rebellions had only a minor long-term impact? No. The event, the crushing of the rebels, created victors and vanquished, radically altering a long-standing balance of forces. The three years of deadlock (1834 to 1837) the time of the Rebellions (1837 and 1838) and the years immediately thereafter (1839 and 1840) were a period of authoritarian government in Lower Canada exercised by British representatives and by enemies, both old and new, of the majority party in the Assembly. The course steered through the period would mark the future.

During the 1841 elections, in the area of the thirteen counties most affected by the Rebellions, ten of the thirteen elected representatives were opponents of the former majority party in the Assembly. In the balance of power, this party seemed to have won despite everything when, a few

years later, the role of the Governor was altered, the party system introduced, and the principle of ministerial responsibility established. But the political system after 1848 also entrenched the power of the Executive, as separate from that of the Governor and that of the Assembly, in keeping with the British-style balance of power. The impact of these changes on the power of the Assembly may be measured in various ways. For example, prior to the Rebellions, the Assembly supported several important committees. After, civil servants working in specialized offices and reporting to specific ministers of the Crown began to assume responsibility for the work previously carried out by the Assembly committees. As well, a British law in 1853 reduced the electorate and limited, through property qualifications, those who could stand for elected office. With a powerful Executive and an Assembly less likely than its predecessor to be carried away on waves of public sentiment, the decision to elect rather than appoint the Legislative Council (1856) did not fundamentally alter the workings of politics. On the whole, political culture in Lower Canada was more conservative and monarchist after the Rebellions than before; well supervised and contained, Lower Canadian democracy would long be wary of radical tendencies.

An end to political discord opened the door to legal reform in the name of economic development, and the introduction of modern property laws, a basic aim of business entrepreneurs and major landowners. The colonial government now could finance construction projects, unfettered by organized opposition to limit or impose onerous conditions on private companies active in developing transportation infrastructure.

The agenda championed by the *Patriotes*, of a more diversified economy less reliant on the imperial economy was also becoming reality on a small scale. Development of the local economy grew as an extension of the interests of business and land capital: as diversification in the investments of great wealth, and as an adjustment to the new circumstances created by the introduction of free trade in Great Britain.

By the time of the Special Council, the rights of the men of the Séminaire de Montréal as seigneurs had been settled. But not until twenty years following the Rebellions did a law dispose of the matter of seigneurial rights across the province. The Legislative Council persisted in defending the rights of the seigneurs. As change occurred, complex accounting operations under the new law allowed the former seigneurs to transform themselves into creditors. The protracted evolution of land laws in the colony demonstrates that the *Patriotes* were correct to assume that the way in which land reform would take place ran counter to democratic principles. They were also correct to claim that their opponents were

much more interested in eliminating the barriers to capitalist growth than liberating the tenants from seigneurial exploitation.

Like the modernization of the political system, the modernization of the economy and economic institutions after the Rebellions reinforced elitist powers, heightened social control and created a social hierarchy characterized by stability and scant opportunity to challenge the new order of things. Reflecting this realignment after the crisis, many lawyers once dedicated to the popular cause crossed over to the service of business.

In the search by different segments of the colonial population for an identity, the Rebellions were an opportunity for fundamental change. They marked an end to the hope of the gradual emergence in a distinctive Lower Canada of the "*nation canadienne*;" and at the same time, with the Union of 1840, the creation of institutions based on the "British American" nationality, an expression borrowed from British economist and philosopher John Stuart Mill — and with Confederation in 1867, the Dominion of Canada. One paradox or rather, inconsistency, of the historical consciousness, past or present, is the term "nationalist," usually used in reference to the *Patriote*; what triumphed, however, through their opponents who remained loyal to the Empire, was the notion of a country to be built around the British race, and on the English language.

In 1791, an Act of the British Parliament separated the colonies of Upper and Lower Canada. The same imperial authorities legislated in 1840 to reunite the two colonies to ensure that representative colonial institutions would no longer be subject to the influence of a French majority in the Assembly. The forced union of 1840, from the point of view of the "*nation canadienne*," was a union sought by "*représentants du parti anglais du Bas-Canada*," in the words of Lord Normanby, the newly appointed Secretary to the colonies in 1839.

After the Rebellions, the general assimilation of the French population did not occur. Federalism quickly made its mark on the Union system. Francophone elites adjusted to the new game rules and adapted to the new situation. None of this, however, prevented the matter of equality between Francophones and Anglophones, or the preponderance and possible tyranny of the majority, from being expressed in a radically different way after the 1840 Union. This change, expressed within the political structure of the new Union, may have seemed the best means, from a British point of view, of bringing the "native" population, whose self-determination was considered extremist, to its senses.

In the end, the Rebellions, and the failure of the Rebellions, enhanced but did not create the conditions for an image of Lower Canada. In Brit-

ain and in the colony itself, many viewed the land as open primarily to the undertakings of British settlers, and as a simple place of survival for the French population. The transition from an "*identité canadienne*" to a French-Canadian identity after 1837-38 was a forced retreat to a secure position. This identity valued and defended national characteristics, as part of an historical heritage, more strongly after the Rebellions than before them. In a context generally conducive to authoritarianism, the relations of the French-Canadian political class to populist circles, rural dwellers and craftspeople, became more distant. By that time, the primary concern was to prevent things from worsening. At the same time, change was afoot among the French-Canadian political elite; they had less power but better access to government patronage.

In the value system, explicitly ordered into ideologies, this evolution tended to separate the cause of democracy from that of national community. In Lower Canada after the Rebellions, the fundamental accord among the economic, political and religious elite, who put their houses in order much more quickly than before, fostered the success of their respective undertakings. Lower Canada had entered the era of canals, railroads and industry in general. The political class actively cooperated in introducing capitalist property law, and at the same time renewed the public education system, this time in close association with the Catholic clergy. The clergy was not successful in its attempt to generalize religious practice, or to bring Catholic people to the Church, but it did manage to bring the Church to the political stage and to strengthen its position on the social scene.

At approximately the same time, thirty years after the Rebellions were crushed, Lower Canada entered the great market of Confederation, with provincial institutions which entrenched the elements of federalism introduced in the time of the Union. It adopted a Civil Code as a means of achieving legal modernity. But Francophone Lower Canada also attuned itself to the social conservatism of the times and the intellectual authority of the Catholic clergy. Far from being a simple episode of 19th century parliamentary struggles, the Rebellions of 1837 and 1838 were a turning point in the evolution of the historical structures underlying what has now become the societies of Quebec and of Canada.

Suggested Reading

1. Historiography

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2. Contemporary Documents

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3. Contemporary Studies

Relevant chapters of works by historians contemporary to the events can still be read with interest. See a comparative analysis by Fernande Roy, "1837 dans l'oeuvre historique de trois contemporains

des événements: Bibeau, Christie et Garneau", in Bernard, *Les Rébellions...*, 63-89.

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Concerning the *Durham Report* (1839), the edition by Sir Charles Lucas, *Lord Durham's Report on the Affairs of British North America*, 3 vol., Oxford, Clarendon Press, 1912, was reprinted in 1970 in New York (Augustus M. Kelly Publishers). The editions by Craig (Carleton Library, 1963) and Bertrand et Desbiens (Montreal, l'Hexagone, 1990) do not contain the full main text and suffer from the absence of the appendices to the *Report* which are very important.

A recent study by Janet Ajzenstat, *The Political Thought of Lord Durham*, Kingston and Montreal, McGill-Queen's University Press, 1988, takes up a discussion of liberalism and the assimilation policy, collective rights and individual rights. See also Janet Ajzenstat, "Collectivity and Individual Rights in Mainstream Liberalism: John Arthur Roebuck and the Patriotes," *Revue d'études canadiennes/Journal of Canadian Studies*, XIX, 3 (Autumn 1984): 99-111; and "Liberalism and Assimilation: Lord Durham Reconsidered," in Stephen Brooks, comp. and ed., *Political Thought in Canada. Contemporary Perspectives*, Toronto, Irving Publishing, 1984, 239-254.

The *Journal of Canadian Studies/Revue d'études canadiennes* (Printemps 1990/Spring 1990, vol. 25, no.1) published a special issue on Durham's ideas, with several articles, including one by Courville, Robert and Séguin which challenge the accuracy of his economic and social description of Lower Canada.

4. Comparison with the Rebellion in Upper Canada

For Upper Canada, Colin F. Read in Historical Booklet No. 46, Canadian Historical Association, *The Rebellion of 1837 in Upper Canada* (Ottawa, 1988) provides a list of recommended reading at the end of his text. See also Read, "Unrest in the Canadas," *Historical Atlas of Canada*, plate 23, vol. II, R. Louis Gentilcore, ed., 1993.

S.D. Clark, *Movements of Political Protest in Canada, 1640-1840*, Toronto, University of Toronto Press, 1959.

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See also article by Greer in the "Historiography" section above.

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John J. Duffy and H.N. Muller, "The Great Wolf Hunt: The Popular Response in Vermont to the Patriotes' Uprising of 1837," first published in 1974 and reprinted in *An Anxious Democracy. Aspects of the 1830s*, Westport, Connecticut, Greenwood Press, 1982, 57-77.

George Rudé, *Protest and Punishment: The Story of Social and Political Protesters Transported to Australia, 1788-1868*, Oxford, Oxford University Press, 1978.

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Gilles Chaussé, "L'Église canadienne et le mouvement révolutionnaire, de 1775 à 1837," in P.H. Boulle and R.A. Lebrun, eds., *Le Canada et la Révolution française*, Montréal, C.I.E.E., 1989, 133-143.

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Serge Courville and Normand Séguin, *Le monde rural québécois au XIXe siècle*, Historical Booklet No. 47, Canadian Historical Association, Ottawa, 1989.

Jean-Marie Fecteau, "Mesures d'exception et règle de droit. Les conditions d'application de la loi martiale au Québec lors des rébellions de 1837-1838," *McGill Law Journal/Revue de droit de McGill*, XXXII, 3 (July 1987): 465-495.

Philip Goldring, "The Constitutional Associations of Lower Canada, 1834-1838," in "British Colonists and Imperial Interests in Lower Canada 1820-1841," doctoral thesis, University of London, 1978, 204-233.

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Louis-Georges Harvey, "Le mouvement patriote comme projet de rupture (1805-1837)," in Gérard Bouchard and Yvan Lamonde (eds.), *Québécois et Américains. La culture québécoise aux XIXe et XXe siècles*, Montréal, Fides, 89-112; also "Importing the Revolution: the Image of America in French Canadian Political Discourse 1805-1837," doctoral thesis (history), University of Ottawa, 1991, XI-508.

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